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INFORMATION MEMORANDUM
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TO: The Secretary

FROM: L – William H. Taft, IV

SUBJECT: Follow-up from Confirmation Hearing – Detainee Transfers

During your confirmation hearing on January 19, Senator Dodd probed U.S. practices in transferring detainees from U.S. control to third country control, particularly for purposes of interrogation. He cited recent press accounts alleging the transfer of prisoners, primarily by the CIA, to countries where it is believed they were later tortured during interrogation. An article in the New Yorker this week entitled “Outsourcing Torture” details similar allegations.

During your hearing, Senator Dodd also asked your views on a legislative proposal he made last year to require the Secretary of Defense to maintain records of all transfers in order to prevent these renditions from occurring or, at least, determine how the detainees are being treated after transfer. During the hearing, you demurred on the record-keeping proposal “for now” and indicated that you would be prepared to discuss these issues later in closed session.

Attached are background papers on detainee transfers, including the Dodd Amendment and a letter on the subject dated June 25, 2003 from DoD General Counsel Haynes to Senator Leahy.

Tab A– Background on Dodd Amendment Concerning Detainee Transfers

Tab B – Background on Detainee Transfers, including Letter from DOD General Counsel William J. Haynes II dated June 25, 2003

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